



UNITED STATES
PATENT AND
TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY
AND DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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PIONEER HI-BRED INTERNATIONAL INC
7100 N.W. 62ND AVENUE
P.O. BOX 1000
JOHNSTON, IA 50131

#16

In re Application of	:
John Gray et al.	:
Serial No.:09/327,230	: WITHDRAWAL OF ABANDONMENT
Filed: June 7, 1999	:
Attorney Docket No.: 5718-4A	:

This is in response to applicant's petition, filed November 13, 2001 under 37 CFR 1.181, to withdraw the abandonment of the above identified application based on non-receipt of an Office action and to restore the application to a pending status.

A review of the file history shows that the Office mailed an Office action, setting a three month shortened statutory period for reply, to applicant on February 26, 2001. On October 15, 2001 the examiner mailed a Notice of Abandonment indicating that no response had been received. Applicant states that the Office action of February 26, 2001 was never received and provides as evidence thereof copies of the file jacket, docket control sheet and attorney docket records where the Office action would have been entered if received, showing non-receipt of the Office action. Based on the evidence presented it is concluded that applicant never received the Office action. In view thereof, the Notice of Abandonment mailed October 15, 2001 is vacated and the application is restored to pending status with the mailing of this decision.

The Request to Withdraw Abandonment under 37 CFR 1.181 is **GRANTED**.

The application will be forwarded to the examiner for prompt mailing of a new Office action.

Should there be any questions with regard to this letter please contact Bruce Campell by letter addressed to the Director, Technology Center 1600, Washington, DC 20231, or by telephone at (703) 308-4205 or by facsimile transmission at (703) 746-5006.

John Doll
Director, Technology Center 1600